



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

RECEIVED

JUN 17 2010

Removal Unit & Oil Spill Section
USEPA, Washington Office

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Carla L. Suszkowski, P.E.
Environmental Engineering Manager
Range Resources – Appalachia LLC
380 Southpointe Blvd. Suite 300
Canonsburg, PA 15317

JUN 11 2010

Discovery Date of Incident(s): October 6, 2009

**Location of Incident(s): Kearns Unit Well Nos. 1H, 2H1, 3H, 4H, 5H, & 6H,
Hopewell Township, Washington County, PA**

Dear Ms. Suszkowski:

This office has received notification that you¹ discharged oil and/or hazardous substances in quantities that may be harmful in violation of Section 311(b)(3) of the Federal Water Pollution Control Act, 33 U.S.C. § 1321(b)(3) (“the Act”) from a facility located at or near Hopewell Township, Washington County, Pa. (“Facility,” as further defined in *Enclosure 1*). Accordingly, the U.S. Environmental Protection Agency (EPA) would like to obtain additional information regarding the alleged incident or incidents and about efforts you have undertaken at the Facility to inhibit spills of oil and/or hazardous substances including whether you/your facility is in compliance with the Spill Prevention, Control and Countermeasures (SPCC) Regulations found at Title 40 C.F.R. Part 112.

Pursuant to Section 308(a) of the Act, 33 U.S.C. § 1318(a), you are hereby required to submit to EPA the information requested in this letter. If you fail to properly respond to this request, you may be subject to penalties. Pursuant to Section 309(g) of the Act, 33 U.S.C. § 1319(g), any person who violates Section 308 of the Act is subject to administrative penalties. Pursuant to Section 309(d) of the Act, 33 U.S.C. § 1319(d), any person who violates Section 308 of the Act is subject to a civil penalty of up to \$32,500 per day of violation. You also may be subject to criminal penalties pursuant to Section 309(c) of the Act, 33 U.S.C. § 1319(c), for negligently or knowingly providing false information in response to this request. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. The information you provide may be used by EPA in administrative, civil or criminal proceedings.

¹For purposes of this letter, the term “you” shall refer to an individual, a company, a partnership, a sole proprietorship, or a corporation, whichever is applicable.

You are entitled to assert a claim of business confidentiality covering any part or all of the information, in a manner described in 40 C.F.R. § 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with 40 C.F.R. Part 2, Subpart B. Unless a claim of business confidentiality is asserted at the time the requested information is submitted, EPA may make this information available to the public without further notice to you.

INFORMATION REQUIRED

1. Identify all substances released from the Facility in connection with the above referenced incident. Specifically, identify:
 - a. The name and Chemical Abstract Services ("CAS") Number for each substance discharged;
 - b. For oils, identify the type and grade;
 - c. Provide the quantity, concentration of each substance discharged and the method by which the concentration was measured or estimated. For mixtures, provide the name, quantity, and concentration of each constituent of that mixture
 - d. Provide the solubility and specific gravity of each substance discharged.
2. Describe the physical source (including, but not limited to vehicle, outfall, tank, container, pipe, ditch, conduit, or equipment) at the Facility from which the oil and/or hazardous substance or substances (the term "substance" as used here includes both oils and hazardous substances) initially was discharged on or around October 6, 2009. If the substance was discharged from more than one source, please identify each specific source.
3. Provide the total quantity of undiluted substance(s) released from the Facility in gallons for oils and in pounds for hazardous substances.
4. List the location of the discharge, including the closest street address, the city, county, state, zip code, and provide the Global Positioning System ("GPS") coordinates
5. List the starting time, date, and duration of the discharge and the time and date when the discharge entered a waterway.
6. List the time and date of the discovery of the discharge and the person(s) who made the discovery.
7. List the federal and state agencies, if any, to which the owner and/or operator reported the discharge(s), the dates and times on which the reports were made, and the name(s) and title(s) of the person(s) who made the reports.
8. Identify the first body of water that the substance reached. Identify the actual or estimated quantity of the substance(s) that entered that water body. Describe the location of any other water bodies that the substance(s) subsequently entered, including the actual or approximate distance from the Facility. In addition, state the actual or estimated quantity of the substance(s) that entered those additional water bodies.

9. Identify any storm drains or sewers through which the substances flowed, and identify the waters to which those storm drains or sewers subsequently drain. State the actual or estimated quantity of the substance(s) that entered the storm drain or sewer.
10. Identify whether each water identified in response to Questions 8 and 9 was, at the time of the spill, a "navigable water" as defined in *Enclosure 1*, a tributary of a navigable water; and/or physically connected to a navigable water. Identify all such navigable waters by name and identify the type of body of water (e.g. river, stream, lake, creek, or other type of body of water).
11. If no navigable waters are identified in response to Questions 10, identify whether the water system at any time connects with or flows into any hydrological system (such as a creek system). If so, identify the flow, extent, and duration of the connection to that system.
12. State the flow in cubic feet per second of each water body described in response to Questions 8 and 9. If there is no gauge station in the vicinity, please estimate the flow and provide the basis for that estimate.
13. Provide a description and the location of any adjoining shoreline upon which that substance may have reached. In addition, state the quantity of the substance that reached the adjoining shoreline.
14. For all discharges of oil to navigable waters, adjoining shorelines to navigable waters, or to any other water/shoreline, please indicate the following
 - a. Did you observe from the oil a film, sheen, discoloration or iridescent appearance on the surface or shoreline of any water? If yes, please describe your observations;
 - b. Did, to your knowledge, any other person observe from the oil a film, sheen, discoloration or iridescent appearance on the surface or shoreline of any water? If yes, please identify all such persons and describe those observations;
 - c. Did you observe any oil sludge or oil emulsion beneath the surface or on the adjoining shorelines of any water? If yes, please describe your observations;
 - d. Did, to your knowledge, any other person observe any oil sludge or oil emulsion to be deposited beneath the surface or on the adjoining shorelines of any water? If yes, please identify all such persons and describe those observations.
15. Describe any damage to animal life or vegetation that you observed or otherwise have knowledge of.
16. List the name, address, telephone number, and affiliation of any and all persons who made any observations in response to Questions 14 and 15.
17. Identify the effect of the spill(s) on any water supply and give details if available (e.g., shutdown of public or private water supply). Provide the names and addresses of all persons that have been provided with an alternative water supply (e.g., bottled water) due to the spill or because of the threatened migration of contamination.

18. Does the facility have a National Pollutant Discharge Elimination System (NPDES) Permit or permit application? If yes, provide the permit number or, if no permit number has been issued at the time, the date upon which the application was filed.
19. If the substance(s) was discharged from an outfall, state whether the outfall was covered by an NPDES permit issued pursuant to Section 402 of the Act.
20. Identify all NPDES or state wastewater discharge permit conditions and/or water quality standards that may have been violated by the spill.
21. Provide a complete description of the cause or causes of the discharge (e.g., pump failure, by-pass of treatment system), as well as any other relevant circumstances. If the discharge was caused by the actions of a third party (for instance, as the result of an accident or vandalism), describe in detail the measures that were in place to prevent such actions. For vandalism, identify any enforcement agencies to which the owner or operator reported the vandalism.
22. Describe all steps taken to contain and cleanup the spill(s) and to mitigate any environmental damage and/or threat to human health.
23. Describe any actions taken or planned to prevent the recurrence of incidents such as the release(s) identified above.
24. List the names, addresses, telephone numbers, and affiliations (e.g., name of governmental agency, contractor, or other entity) of all persons who were on the scene during the incident and/or during cleanup operations, as well as any other persons not present but otherwise believed to have knowledge of the facts surrounding the incident or incidents. For each person identified in response to this question, provide the time period during which they were present at the facility. In responding to this question, for each complaint by an individual you have received related to your operations at the Facility, provide the person's name and phone number, as well as any written record of that complaint or a written narrative describing any oral complaint; Provide any subsequent communications with the party(ies) that filed the complaint.
25. Provide the date on which operations began at the Facility. Identify all Natural Gas Production Facilities (NGPFs) (as further defined in *Enclosure 1*) owned and/or operated by you connected to or otherwise associated with the Facility at any time. Identify all components of each NGPF, including but not limited to wells, piping, tanks, other equipment, and surface impoundments.
26. Provide the name(s) and address(es) of the owner(s) of the Facility described above in Question 25. In doing so, for all production facilities identified in response to Question 25, state the date that the owner obtained ownership and/or control over the production facilities and provide all documents evidencing or relating to such ownership, operation or lease, including but not limited to purchase and sale agreements, deeds, and leases.
27. Identify all drill pads and/or drill rigs owned and/or operated by you at or within 10 miles of the Facility at any time. For each drill pad and/or drill rig, identify the year on which that drill pad and/or rig was installed at its present location and *any* past location.

28. Provide the name and address of the operator(s) of the Facility described above in Question 25 and describe the relationship between the owner(s) and operator(s) (*i.e.*, employee, subcontractor, lessee, etc.). Identify any persons who concurrently with you exercised actual control or who held significant authority to control activities at the Facility at any time. In answering this question, include:
- Partners and/or joint ventures;
 - Every contractor, subcontractor, or licensor with any presence or activity at the Facility (e.g., service contractors, remediation contractors, management and operator contractors, licensor providing technical support for licensed activities);
 - All persons who exercised actual control over any activities or operations at the Facility;
 - All persons who held significant authority to control any activities or operations at the Facility;
 - All persons who had a significant presence or who conducted significant activities at the Site;
 - All government entities that had proprietary (as opposed to regulatory) interest or involvement with regard to the activity at the Facility.
29. Identify all prior owners and operators of the production facilities identified in response to Question 25 and the drill pads identified in response to Question 27. For each prior owner/operator, identify:
- The dates of installation, ownership, and/or operation;
 - All evidence of the activities that were conducted at the production facilities and drill pads at that time, including but not limited to any information about wells installed, operated, and/or decommissioned during any period of prior ownership/operation;
 - All integrity test results, materials inventories, and/or notifications and reports made to and received from local, state, and federal authorities; and
 - Any information you have access to regarding the substances used in connection with the production facilities during any period of prior ownership/operation.
30. Describe the nature of the work conducted by you at each NGPF identified in response to Question 25. For each NGPF owned or operated by you, provide information on the installation, operation, and maintenance of those production facilities. Your response should include, but not be limited to the following for each well:
- The name or identifier of each well;
 - Well construction information (including specifications on casing depths, cement tops/bottoms, and perforated zones);
 - Well maintenance information (including logs and inspection records);
 - Well incident information (including fluid loss during drilling or storage, cement loss, problems during hydraulic fracturing or other operations). Provide any root cause analysis conducted and corrective actions taken in response;
 - Well lithologic logs (also known as "mud logs"); and
 - The constituents contained in as well as the quantities of those constituents in any produced water, brine and/or, any other fluids associated with those wells.
31. Identify any contractors used by you that conducted any activities related to the wells identified in response to Question 30. For each contractor, identify:

- a. The dates that they conducted work;
 - b. The nature of the work they conducted.
32. Identify any other leaks, spills, or releases of oil and/or hazardous substances into the environment that have occurred from the Facility. For each such release, provide the following:
- a. date;
 - b. duration of the release;
 - c. substance(s) released;
 - d. the approximate quantity of the substance(s) released;
 - e. the origin of the release;
 - f. the cause of the release;
 - g. the location of the release;
 - h. any and all activities undertaken in response to each such release or threatened release, including the notification of any agencies or governmental units about the release;
 - i. The result of any and all investigations of the circumstances, nature, extent or location of the release or threatened release, including the results of any soil and water (ground and surface) testing undertaken;
 - j. Whether any persons were provided with an alternative water supply; and
 - k. All persons with information related to these releases.
33. Provide any other reports, information or data related to activities conducted at or near the wells by you, your predecessors, contractors, and/or any other entity.
34. Provide a complete inventory of any compounds used at all NGPFs identified in response to Question 25. Include the chemical composition, characteristics, physical state of each compound, along with the MSDSs, CAS Numbers, and product names.
35. Provide all documents, reports, information, or data collected related to the substances placed into and taken from the wells possessed by you or any party related to you by contract or otherwise. Your response should include, but not be limited to:
- a. Analysis of production water constituents;
 - b. Analysis of condensate constituents;
 - c. Drilling fluid components (Material Safety Data Sheets (MSDSs), Chemical Abstract Systems (CAS) Numbers, product names;
 - d. Water/geochemistry analysis from discrete production zones.
 - e. Provide the following information (including any reports that include such information) related to the injection of substances into the wells by you or any other person, including but not limited to:
 - f. Hydraulic fracturing fluid components (including MSDS, CAS Number, product names);
 - g. Workover fluids (including all underlying components of workover fluids) (including MSDS, CAS Number, product names);
 - h. Formation fracturing records for wells (including the depths and dates).
36. Provide all reports, data or other information related to soil, water (ground and surface) and geology/hydrogeology at and around the Site. Provide copies of all documents containing such data or information, including past and present aerial photographs as well

as documents containing the basis for and/or analysis or interpretation of that data or other information.

37. Describe the storage units at the facility (e.g., above ground tanks or underground tanks) and provide the types of substance(s) stored and the total storage capacity of each storage unit by name and CAS number. In answering this question, include substances and capacities of "oil-filled equipment" and "mobile refuelers" that are defined in *Enclosure 1*. Identify the storage units and provide the storage capacity of each unit identified with each NGPF and identify the types of substance(s) stored and the total storage capacity of each storage unit by name and CAS number for those units. In responding to this question, indicate whether each substance is an oil and/or a hazardous substance.
38. Has any contaminated soil ever been excavated or removed from areas around or near the wells? If so, provide the following:
- a. Amount of soil excavated;
 - b. The substances contained in the excavated soil;
 - c. Location of excavation;
 - d. Distance from a navigable water of the United States or an adjoining shoreline;
 - e. Description of the pathway from the excavated soil area to a navigable water of the US or an adjoining shoreline, including topography and an analysis of whether the materials could reach a navigable water or adjoining shoreline;
 - f. Any information, including data, maps, and reports, related to any plume of substances associated with any soil excavation.
39. If the Owner or Operator has in place a Spill Prevention, Control and Countermeasures ("SPCC") Plan pursuant to 40 C.F.R. Part 112, a Facility Response Plan ("FRP") prepared pursuant to 40 C.F.R. § 112.20, a state oil spill prevention plan, and/or some other spill prevention plan, provide EPA with a copy of all such plans. Please indicate whether a professional engineer prepared and/or certified any plan in place at the Facility. In the event the plan is undated, provide the date(s) on which the plan was prepared and implemented.
40. Provide a description of all procedures used to prevent and/or contain spills of substances from the Facility. This description should indicate the tanks, tank cars, tank trucks, or other equipment that are protected by dikes, the amount of material that can be contained by each dike, and the number of tanks, tank cars, tank trucks, and other equipment protected by each dike.
41. Indicate the material used to construct each dike and the condition of each dike listed in Question 40.
42. In the event that the Owner or Operator does not have in place a SPCC Plan, FRP or state oil prevention plan, describe any actions taken or proposed to prevent the recurrence of any spill identified in response to Question 1.
43. List any other information you wish to bring to the attention of the federal government at this time related to this matter.

Certify the information provided in response to the above questions in the following manner:

I hereby certify the above to be true and accurate to the best of my knowledge.

Signature: _____

Name (Please print or type): _____

Title: _____

Telephone Number: _____

Your response should be mailed within **forty-five (45) days** of your receipt of this letter to:

U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION III
OIL AND PREVENTION BRANCH (3HS61)
1060 CHAPLINE STREET
WHEELING, WV 26003

This request for information is not subject to review by the Office of Management and Budget pursuant to the Paperwork Reduction Act, 44 U.S.C. §§ 3501-3520.

If you have any questions on this matter, please call Paula Curtin at (304) 234-0256.

Sincerely,



Karen Melvin, Associate Division Director
Office of Enforcement
Hazardous Site Cleanup Division

cc: Paula Curtin (3HS61)

ENCLOSURE 1: DEFINITIONS

Discharge: For purposes of Section 311 of the Act, a discharge to navigable waters or adjoining shorelines includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying, or dumping, but excludes certain discharges in compliance with a permit under Section 402 of the Act.

Drill Pad: Drill pad shall mean any drilling pad, platform, or other structure designed for use and/or actually used to drill for purposes of natural gas production, and shall include any and all equipment such as drill rigs, contained thereon.

Facility: The term facility shall mean any facility (such as a building, structure, installation, equipment, pipe, or pipeline) of any kind located in, on or under, any land within the United States other than submerged land where, in part, oil is used for non-transportation purposes as set forth in 40 C.F.R. § Part 112, Appendix A. The boundaries of a facility depend on site-specific factors, including but not limited to, the ownership or operation of the buildings, structures, and equipment on the same site and the type of activities at the site.

Navigable Waters: Navigable waters of the United States means "navigable waters" as defined in section 502(7) of the FWPCA, and includes: (1) All navigable waters of the United States, as defined in judicial decisions prior to passage of the 1972 Amendments to the FWPCA (Pub. L. 92-500), and tributaries of such waters; (2) Interstate waters; (3) Intrastate lakes, rivers, and streams which are utilized by interstate travelers for recreational or other purposes; and (4) Intrastate lakes, rivers, and streams from which fish or shellfish are taken and sold in interstate commerce.

Mobile Refueler: Mobile refueler means a bulk storage container onboard a vehicle or towed, that is designed or used solely to store and transport fuel for transfer into or from an aircraft, motor vehicle, locomotive, vessel, ground service equipment, or other oil storage container.

Natural Gas Production Facility: Natural Gas Production Facility (NGPF) means all structures (including but not limited to wells, platforms, or storage facilities), piping (including but not limited to flowlines or gathering lines), or equipment (including but not limited to workover equipment, separation equipment, or auxiliary non-transportation equipment) used in the production, extraction, recovery, movement, stabilization, separation and/or treating of natural gas.

Oil-filled Operational Equipment: Oil-filled operational equipment means equipment that includes an oil storage container (or multiple containers) in which the oil is present solely to support the function of the apparatus or the device. Oil-filled operational equipment is not considered a bulk storage container, and does not include oil-filled manufacturing equipment (flow-through process). Examples of oil-filled operational equipment include, but are not limited to, hydraulic systems, lubricating systems (e.g., those for pumps, compressors and other rotating equipment, including pumpjack lubrication systems), gear boxes, machining coolant systems, heat transfer systems, transformers, circuit breakers, electrical switches, and other systems containing oil solely to enable the operation of the device.

Well: The term means any well that is used for or is related to natural gas production.

This request for information is not subject to review by the Office of Management and Budget pursuant to the Paperwork Reduction Act, 44 U.S.C. §§ 3501-3520.

If you have any questions on this matter, please call Paula Curtin at (304) 234-0256.

Sincerely,

Karen Melvin, Associate Division Director
Office of Enforcement
Hazardous Site Cleanup Division

cc: Paula Curtin (3HS61)

CONCURRENCES							
SYMBOL	3HS62	3HS61	3HS60	3HS60			
SURNAME	Holliday	Armstrong	Melvin	Rutledge			
DATE	6-10-10	6/11/10	6/11/2011				
EPA Form 1320-1 (12-70)				OFFICIAL FILE COPY			

Marcellus 308 Letter - Range Resources, Appalachia
LLC

Canonsburg, Pa.
Incident: Hopewell Twp.,
Washington Cty., Pa.

This incident is "Brush Run"

No Case # - not called into
NRC, apparently.